

ReedSmith

Louis A. DePaul
Direct Phone: 412.288.3054
Email: ldepaul@reedsmith.com

Reed Smith LLP
435 Sixth Avenue
Pittsburgh, PA 15219-1886
412.288.3131
Fax 412.288.3063

February 19, 2004

VIA EXPRESS MAIL LABEL NO. EV 353045320 US

Commissioner for Patents
MAIL STOP PATENT APPLICATION
P.O. BOX 1450
Alexandria, VA 22313-1450

Re: New U.S. Divisional Patent Application
Pursuant to 37 C.F.R. §1.53(b)(1)
Applicants: PODLUCKY et al.
Title: TEA BREWING SYSTEM
Serial No.: (not yet assigned)
Filed: February 19, 2004
Art Unit: (not yet assigned)
Examiner: (not yet assigned)
Docket No.: 01-410-US-D2

Dear Sir:

Enclosed are the following for filing in connection with the above-referenced new U. S. patent divisional application:

1. A new divisional patent application comprising a copy of the previously filed application papers in Serial No. 10/076,253, including 10 pages of specification, 12 pages of claims, 1 page of abstract and 5 sheets of drawings;
2. A copy of the previously submitted executed Declaration and Power of Attorney from Serial No. 10/076,253;
3. Applicant hereby claims small entity status;
4. A Preliminary Amendment;
5. A Request and Certification Under 35 U.S.C. § 122(b)(2)(B)(i);
6. An Information Disclosure Statement and completed Form PTO-1449;
7. An Express Mail Certificate; and

LONDON ♦ NEW YORK ♦ LOS ANGELES ♦ SAN FRANCISCO ♦ WASHINGTON, D.C. ♦ PHILADELPHIA ♦ PITTSBURGH ♦ OAKLAND ♦ PRINCETON
FALLS CHURCH ♦ WILMINGTON ♦ NEWARK ♦ MIDLANDS, U.K. ♦ CENTURY CITY ♦ RICHMOND ♦ HARRISBURG ♦ LEESBURG ♦ WESTLAKE VILLAGE

r e e d s m i t h . c o m

8. A self-addressed stamped postcard, return of which is requested to acknowledge receipt of the enclosed documents.

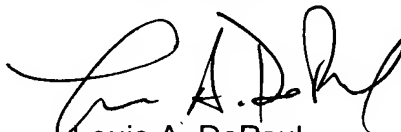
The entire disclosure of parent application Serial No. 10/076,253, filed on February 13, 2002, is considered a part of the disclosure of the accompanying divisional application and is hereby incorporated by reference.

Please send all correspondence to:

**Louis A. DePaul, Esquire
REED SMITH LLP
P.O. BOX 488
PITTSBURGH, PA 15230-0488
e-mail: ldepaul@reedsmith.com
phone: 412-288-3054
fax: 412-288-3063**

The Director is hereby authorized to charge the amount of \$421.00, representing the application filing fee and extra claims fees for a small entity, and any additional fee relating to this filing, or to credit any overpayment, to Deposit Account 18-0582. A duplicate copy of this authorization is enclosed.

Very truly yours,



Louis A. DePaul

LAD:bk

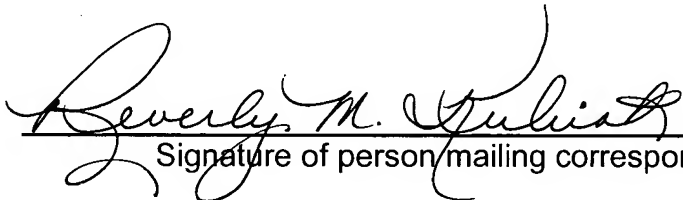
Enclosures

Certificate of Mailing by "Express Mail"

EV 353045320 US
"Express Mail" label number

February 19, 2004
Date of Deposit

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service on the date indicated above and is addressed to the Commissioner for Patents, Mail Stop Patent Application, P.O. Box 1450, Alexandria, VA 22313-1450.


Signature of person mailing correspondence

BEVERLY M. KUBIAK
Typed or printed name of person mailing correspondence

Note: Each paper must have its own certificate of mailing by "Express Mail".

**REQUEST AND
CERTIFICATION UNDER
35 U.S.C. 122(b)(2)(B)(i)**

First Named Inventor

PODLUCKY

Title

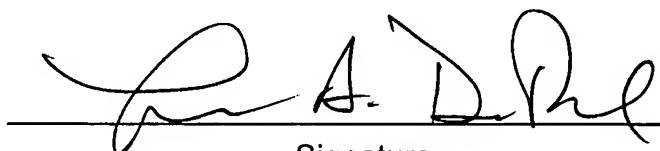
TEA BREWING APPARATUS (as amended)

Attorney Docket No.

01-410-US-D2

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral international agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

Date: February 19, 2004



Signature

Louis A. DePaul

Typed or Printed Name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**